

208

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51551-2024
Date of decision: 10.02.2025

RAJEEV

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

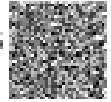
Present:- Mr. Akashdeep Singh, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

Mr. Gaurav Vir Singh Behl, Advocate
for the complainant.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 482 of the BNSS, 2023 for the grant of anticipatory bail to the petitioner in FIR No.212 dated 22.08.2024, under Sections 376 and 506 of the IPC, registered at Police Station Arya Nagar Rohtak, District Rohtak, Haryana.
2. Learned counsel for the petitioner submitted that it is a case where the petitioner and the prosecutrix are distantly related to each other and there was an agreement for turning the relationship into marriage and in this way, ring ceremony was also performed on 16.12.2023. He further submitted that thereafter, due to some reasons the agreement for getting married did not mature and the present false FIR was lodged by the prosecutrix against the



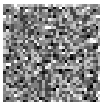
petitioner. He further submitted that the petitioner has already joined the investigation in pursuance of the order passed by this Court on 18.10.2024 and he has fully cooperated with the investigation process. He further submitted that in the present case, although medical of the prosecutrix was conducted but the samples could not be taken because the alleged incident is an old incident. He also submitted that considering the aforesaid facts and circumstances, the petitioner may be considered for the grant of anticipatory bail.

3. On the other hand, Mr. Vishal Kashyap, DAG, Haryana submitted on instructions from ASI Sunita that in pursuance of the order passed by this Court on 18.10.2024, the petitioner has already joined investigation and he has fully cooperated with the investigation process and he is not required for custodial interrogation. He further submitted that although the medical of the prosecutrix was conducted but the samples could not be taken because the incident is very old.

4. Learned counsel for the complainant has filed reply on behalf of the complaint in the Court today and the same is taken on record. He submitted that the petitioner has committed fraud upon the prosecutrix by making false promise of marriage, which resulted into rape and therefore, the present petition may be dismissed.

5. I have heard the learned counsels for the parties.

6. It is a case where the petitioner and the prosecutrix are stated to be distantly related to each other and even a ring ceremony was also performed but later on the marriage agreement between them did not mature. Learned State counsel has taken a specific stand on the basis of the instructions that the



petitioner has not only joined the investigation and cooperated with the investigation process but he is also not required for custodial interrogation.

7. In view of the aforesaid facts and circumstances, the present petition is allowed and the order dated 18.10.2024, is hereby made absolute.

10.02.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No